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May 22, 2014

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Via E-Mail to Chambers  
By Messenger (for filing)

Hon. Martin Glenn  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Gree  
New York, New York 10004-1408

Re: In re Residential Capital, LLC et al.  
United States Bankruptcy Court  
Southern District of New York  
Jointly Administered Under Case No. 12-12020 MG

Dear Judge Glenn:

At the May 15, 2014 hearing on the ResCap Borrower Claims Trust's Objection to Proof of Claim No. 386 Filed by Barry and Cheryl Mack, you directed that the parties provide further briefing on specific issues and that David F. Garber, Esq., as counsel for claimants, and I, as counsel for the ResCap Borrower Claims Trust, agree on a briefing schedule. You indicated that briefs should be no longer than 20 pages and authorized either simultaneous filings or an opening, opposition, reply procedure. You told us that you would like to have us file a letter, with a copy by email to Chambers, setting forth an agreed-upon schedule within a week or so.

Following the hearing, Mr. Garber and I conferred regarding the briefing schedule. We agreed on the structure set for below, subject to your approval. Mr. Garber proposed to have opening briefs filed on June 20. I explained to Mr. Garber that I would have to clear that date with the ResCap Borrower Claims Trust (the "Trust"), with which I had a call scheduled the following Monday morning my time. During that call, the Trust approved the structure but preferred that opening briefs be filed by June 10 because the Mack claim is a large one and the Trust would like to have it resolved sooner than later.

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On Tuesday morning Pacific time, I emailed Mr. Garber regarding the Trust's preferred date. On Wednesday morning Pacific time, I forwarded that email to him, urging him to follow up and reminding him that the Court wanted a letter with an agreed-upon schedule by today. This morning at 7:48 Pacific time, I emailed Mr. Garber yet again, reminding him of the Court's expectation. None of these emails has bounced back, so I assume they were delivered to his email inbox in due course. At 8:43 a.m. Pacific time, shortly before I arrived at my office, Mr. Garber left me a voice mail raising the subject of the briefing schedule as though for the first time. It was the first response I had from him. I returned his call at 8:56 a.m. Pacific time and was immediately told by his receptionist, who seemed to recognize my name, that he was one the phone. I left with her a message asking for him return my call.

Having not gotten a return call, at 10:50 a.m. Pacific time, I sent Mr. Garber an email attaching a letter jointly proposing the schedule set out below. I asked Mr. Garber to sign and return a PDF of the letter to me by 4:00 p.m. his time (Eastern). Absent such a response, I explained, I would send a letter like this signed only by me to Your Honor. I still have yet to hear from Mr. Garber as of 4:00 p.m. Eastern time.

Here is the schedule the Trust proposes (once again, the Mr. Garber and I agreed upon the structure but he has not responded about the timing of the opening briefs).

June 10, 2014 Simultaneous Opening Briefs (20 pages maximum)

June 24, 2014 Simultaneous Reply Briefs (10 pages maximum)

This schedule does not fit one of the models you authorized, but the Trust asks you to consider it in light of the fact that it still only imposes a total maximum of 60 pages on the Court. It gives the Court and the parties the advantage of replies by *both* parties without unduly lengthening the time scheme.

I thank you for your consideration.

Respectfully submitted,

**MEMORANDUM ENDORSED  
SO ORDERED.**

Dated: May 23, 2014

New York, New York

/s/Martin Glenn

MARTIN GLENN

United States Bankruptcy Judge

Adam A. Lewis

cc: David F. Garber, Esq. (Via Email  
and U.S. Mail)

Norman F. Rosenbaum, Esq. (Via Email)

Jordan Wishnew, Esq. (Via Email)